

### **Remarks**

This is responsive to the final Office Action (Paper No. 10) mailed November 6, 2003.

The Applicant has provided certain minor post-final amendments hereinabove to the specification and claims. The amendment to the specification amends the title to better conform to the claimed subject matter.

Independent claims 34, 41 and 47 have each generally been amended to recite the predetermined value (threshold level) as being selected to control an output characteristic of the power supply. Support for these amendments is found in the application including the original language of claims 37 and 50, in the specification at page 1, lines 24-27 (last four lines of the last full paragraph on page 1); page 2, lines 5-9 (second full paragraph on page 2); and page 9, lines 13-17 (first five lines of the second full paragraph on page 9).

Claims 40 and 41 have also been amended to improve the readability thereof.

These post-final amendments are believed to be proper, do not introduce new matter, will not provide an undue burden upon the Examiner including the need for further searching, and serve to place the application in proper condition for allowance. The Applicant therefore respectfully requests that the Examiner enter these amendments.

With the entering of these amendments, the status of the claims is now as follows:

<b><u>Claim</u></b>	<b><u>Status</u></b>
34. (Once Amended)	Independent.
35. (Added 8/1/03)	Depends from claim 34.
36. (Added 8/1/03)	Depends from claim 34.
37. (Added 8/1/03)	Depends from claim 34.
38. (Added 8/1/03)	Depends from claim 34.
39. (Added 8/1/03)	Depends from claim 34.
40. (Once Amended)	Depends from claim 34.

41. (Once Amended)	Independent.
42. (Added 8/1/03)	Depends from claim 41.
43. (Added 8/1/03)	Depends from claim 41.
44. (Added 8/1/03)	Depends from claim 43.
45. (Added 8/1/03)	Depends from claim 41.
46. (Added 8/1/03)	Depends from claim 45.
47. (Once Amended)	Independent.
48. (Added 8/1/03)	Depends from claim 47.
49. (Added 8/1/03)	Depends from claim 47.
50. (Added 8/1/03)	Depends from claim 49.
51. (Added 8/1/03)	Depends from claim 47.

### **Power of Attorney**

An updated Power of Attorney was filed on August 12, 2003 which reflected a new attorney and correspondence address of record for this case (as reflected below). The final Office Action was mailed to the previous address.

Hence, a copy of this updated Power of Attorney is being submitted herewith for the Examiner's convenience, along with a request that future communications be directed to the updated attorney and address of record.

### **Objection to Claims**

The final Office Action objected to claim 40 due to the use of the phrase "a power supply." This has been changed to "the power supply," as requested by the Examiner.

### **Rejection of Claims Under 35 U.S.C. §102(b)**

The final Office Action rejected claims 34-36, 38-40, 47, 48 and 51 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,574,608 issued to Fukuoka ("Fukuoka '608"). Claims 41-43, 45 and 46 were rejected as being anticipated by U.S. Patent No.

4,804,901 issued to Pertessis et al. (“Pertessis ‘901”). These rejections are respectfully traversed and will be discussed in view of the claim amendments presented above.

In the “Allowable Subject Matter” section of the final Office Action (see page 5), the Examiner correctly noted that Fukuoka ‘608, Pertessis ‘901 and the other art of record fail to disclose how the capacitor value is determined, and further do not disclose the charge value being based on the amount of charge that will cause a voltage spike.

Instead, Fukuoka ‘608 uses a constant current source 38 (FIG. 1) to charge the capacitor 35, and the capacitor 35 is subsequently selectively discharged when a locked rotor condition in a motor 4 is detected. See, e.g., Fukuoka ‘608, col. 5, lines 15-42 and FIGS. 1 and 3. Pertessis ‘901 uses the capacitor 84 to selectively time the switching in and out of the start coil 16 during a motor start-up sequence. See, e.g., Pertessis ‘901, col. 9, line 61 to col. 10, line 6; col. 11, lines 55-66; and FIGS. 3 and 5.

Fukuoka ‘608 and Pertessis ‘901, as well as the other art of record, are thus silent with regard to selecting the predetermined threshold to control an output characteristic of the power supply, as now claimed by independent claims 34, 41 and 47. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claims under 35 U.S.C. §102(b).

#### **Rejection of Claims Under 35 U.S.C. §103(a)**

The final Office Action rejected claims 44 and 49 under 35 U.S.C. §103(a) as being obvious over various combinations of Fukuoka ‘608, Pertessis ‘901, U.S. Patent No. 4,410,845 issued to Lockyear (“Lockyear ‘845”) and U.S. Patent No. 5,017,854 issued to Gully et al. (“Gully ‘854”).

These rejections are also respectfully traversed and the Applicant requests reconsideration and allowance of these claims on the basis that these claims depend from base claims believed to be patentable for the foregoing reasons.

#### **Allowable Subject Matter**

The final Office Action indicated that dependent claims 37 and 50 were objected to, but would be allowable if rewritten in independent form. The Applicant gratefully acknowledges this indication of allowability, and has amended independent claims 34, 41 and 47 as discussed above to generally incorporate subject matter from these claims relating to the controlling of an output characteristic of the power supply.

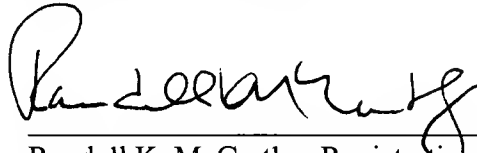
#### **Conclusion**

This is intended to be a complete response to the final Office Action (Paper No. 10) mailed November 6, 2003. The Applicant respectfully requests reconsideration and allowance of all of the claims pending in the application.

Correspondence and inquiries concerning this case should be directed to the below signed attorney.

Respectfully submitted,

By

A handwritten signature in black ink, appearing to read "Randall K. McCarthy", written over a horizontal line.

Randall K. McCarthy, Registration No. 39,297

Bill D. McCarthy, Registration No. 26,772

Daniel P. Dooley, Registration No. 46,369

Fellers, Snider, Blankenship, Bailey & Tippens, P.C.

Bank One Tower

100 N. Broadway, Suite 1700

Oklahoma City, Oklahoma 73102-8820

Telephone: (405) 232-0621

Facsimile: (405) 239-9659



FELLERS, SNIDER, BLANKENSHIP, BAILEY & TIPPENS, P.C.

ATTORNEYS & COUNSELLORS AT LAW

BANK ONE TOWER  
100 NORTH BROADWAY, SUITE 1700  
OKLAHOMA CITY, OKLAHOMA 73102-8820  
TELEPHONE (405) 232-0621  
FAX (405) 232-9659  
www.fellerssnider.com

JAMES D. FELLERS (1913-1997)  
JOHN JOSEPH SNIDER (1928-1997)

January 6, 2004

BURCK BAILEY\*  
TERRY W. TIPPENS\*  
K. NICHOLAS WILSON  
HARRY H. SELPH, II  
WARREN F. BICKFORD IV  
JOHN B. HEATLY  
MICHAEL R. FORO  
ERIC S. EISSENSTAT  
STEVE STEPHENS  
OONEEN DOUGLAS JONES  
THOMAS J. ENIS\*  
BARBARA G. BOWERSOX  
JOE C. LEWALLEN, JR.  
DINO E. VIERA  
GREG A. CASTRO  
KEVIN R. DONELSON  
ROY C. BREEDLOVE  
MARK K. STONECIPHER  
ANDREW L. WALDING  
TODD A. NELSON\*  
OENNIS D. BROWN\*  
R. ALAN WEEKS\*\*  
R. DANIEL SCROGGINS\*  
TERRY L. WATT, Ph.D.\*  
BRYAN N. B. KING  
SCOTT R. ZINGERMAN\*  
BRENT M. JOHNSON  
CHARLES C. CALLAWAY, JR.  
WILLIAM H. WHITEHILL, JR.  
RANDALL K. McCARTHY\*  
CURTIS M. LONG  
STEVEN J. ADAMS  
JAY P. WALTERS\*\*  
JAMES F. LEA, III\*  
JOHN D. RUSSELL\*

SANFORD C. COATS  
MARGARET A. BOMHOFF  
FRED H. HOLMES\*  
KELLI M. MASTERS  
BROOKS A. RICHARDSON\*  
N. JANINE WHEELER  
TRAVIS A. FULKERSON  
DANIEL P. DOOLEY\*\*  
RYAN T. LEONARD  
R. TODD WAOOELL  
CHARLES R. WILLING

OF COUNSEL  
JAP W. BLANKENSHIP  
PAUL W. DUDMAN\*  
JACK E. PHILLIPS\*  
BILL O. McCARTHY\*  
TRACY A. POOLE\*  
LON FOSTER, III\*\*

\*ALSO ADMITTED IN ENGLAND (SOLICITOR)  
\*ALSO ADMITTED IN KANSAS  
\*ALSO ADMITTED IN MINNESOTA  
\*ALSO ADMITTED IN MISSOURI  
\*ALSO ADMITTED IN TEXAS  
\*ALSO ADMITTED IN VIRGINIA  
\*ALSO ADMITTED IN WASHINGTON, D.C.  
\*REGISTERED PATENT ATTORNEY  
\*ALSO ADMITTED IN CALIFORNIA

TULSA ADDRESS  
THE KENNEOY BUILDING  
321 SOUTH BOSTON, SUITE 800  
TULSA, OKLAHOMA 74103-3318  
TELEPHONE (918) 599-0621  
FAX (918) 583-9659  
WRITER'S DIRECT NUMBER

**EXPRESS MAIL RECEIPT NO. ER441431730US  
DEPOSITED ON JANUARY 6, 2004**

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Re: In re application of: Christopher L. Hill, et al.  
Assignee: SEAGATE TECHNOLOGY LLC  
Serial No.: 09/995,206  
Filed: November 27, 2001  
Title: POWER SUPPLY OUTPUT CONTROL APPARATUS  
AND METHOD  
Group Art Unit: 2837  
Reel/Frame: 012329/0123  
Our Docket No.: STL10005

Dear Sir:

Enclosed herewith for filing in connection with the above referenced application is the following document:

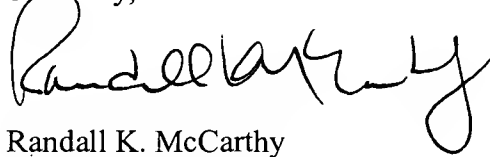
POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS), CHANGE OF  
ATTORNEY'S/AGENT'S ADDRESS IN APPLICATION AND STATEMENT  
UNDER 37 CFR 3.73(b).

Mail Stop AF  
Commissioner for Patents  
January 6, 2004  
Page 2

These papers are being sent by Express Mail, Receipt No. ER441431730US addressed to the Commissioner for Patents and deposited with the United States Postal Service on January 6, 2004.

Please advise if anything further is required.

Sincerely,

A handwritten signature in black ink, appearing to read "Randall K. McCarthy". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

Randall K. McCarthy  
Registration No. 39,297

RKM/dca  
Enclosure



# COPY

PATENT  
DKT. STL10005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s):	Christopher L. Hill, et al.		
Serial No.:	09/995,206	Examiner:	P. Miller
Filed:	11/27/01	Group Art Unit:	2837
Title:	Motor Start-Up Current Control Apparatus and Method		
Docket:	STL10005		

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS)**

As assignee of record of the entire interest of the above identified application,

**REVOCATION OF PRIOR POWERS OF ATTORNEY**

all powers of attorney previously given are hereby revoked and

**NEW POWER OF ATTORNEY**

the following practitioners/patent agent are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith:

Members of the firm of Fellers, Snider, Blankenship, Bailey & Tippens, P.C.

Randall K. McCarthy, Registration No. 39,297	Terry L. Watt, Registration No. 42,214
Bill D. McCarthy, Registration No. 26,772	Scott R. Zingerman, Registration No. 35,422
Daniel P. Dooley, Registration No. 46,369	Fred H. Holmes, Registration No. 43,677
R. Alan Weeks, Registration No. 36,050	James F. Lea, III, Registration No. 41,143
Dennis D. Brown, Registration No. 33,559	

In addition, the undersigned appoints

Shawn B. Dempster, Registration No. 34,321	Raghunath S. Minisandram, Registration No. 38,683
Derek J. Berger, Registration No. 45,401	Paul T. Dietz, Registration No. 38,858
David K. Lucente, Registration No. 36,202	Carol I. Bordas, Registration No. 37,284
Kirk A. Cesari, Registration No. 47,479	Joseph F. Villella, Jr., Registration No. 30,599
Jennifer M. Buenzow, Registration No. 50,124	Jesus Del Castillo, Registration No. 51,604
Mitchell K. McCarthy, Registration No. 38,794	Brendan Hanley, Registration No. 52,429

and of Seagate Technology LLC as attorneys and/or patent agents with the full power to represent the Applicant in connection with this application.

**CHANGE OF ATTORNEY'S/AGENT'S ADDRESS IN APPLICATION**

Fellers, Snider, Blankenship, Bailey & Tippens, P.C.  
Bank One Tower  
100 North Broadway, Suite 1700  
Oklahoma City, OK 73102-8820  
Telephone No.: (405) 232-0621  
Fax No.: (405) 232-9659



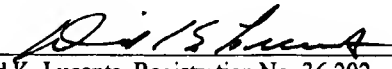
**STATEMENT UNDER 37 CFR 3.73(b)**

Seagate Technology LLC states that it is the Assignee of Entire Interest in the patent application/patent identified above by virtue of an Assignment from the inventor(s) of the patent application/patent identified above. A copy of the Assignment is attached and/or was recorded in the Patent and Trademark Office at Reel 012329, Frame 0123. The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Respectfully submitted,

SEAGATE TECHNOLOGY LLC  
(Assignee of Entire Interest)

8/12/03  
Date

  
David K. Lucente, Registration No. 36,202  
SEAGATE TECHNOLOGY LLC  
Intellectual Property Dept. - COL2LGL  
389 Disc Drive  
Longmont, CO 80503-9364  
(720) 684-2295 (telephone)  
(720) 684-2588 (facsimile)